

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:
UNITED STATES OF AMERICA :
:
- v. - :
:
RICHARD RIVERA, : S2 13 Cr. 814 (JMF)
a/k/a "Richie," :
:
Defendant. :
- - - - - x

| |
|---|
| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/2/14 |
|---|

ORDER
TO BE FILED UNDER SEAL

WHEREAS, an application has been made by Negar Tekeei and Sarah R. Krissoff, Assistant United States Attorneys for the United States of America, that documents and docket entries in this case be sealed or not docketed, as the case may be;

THE COURT, AFTER DUE CONSIDERATION, HEREBY FINDS that

(1) there is a substantial probability of prejudice to defendant Richard Rivera and the Government, should knowledge of the defendant's cooperation become known. In particular, there is a substantial probability that disclosure of information reflecting the defendant's cooperation would risk the physical safety of the defendant;

(2) there are no reasonable alternatives to protect the Government's and the defendant's compelling interests that would be prejudiced by public access to the documents and docket entries relating to the defendant's cooperation; and

(3) under the circumstances of this case, the prejudice to the Government's and the defendant's compelling interests significantly outweighs the public's qualified First Amendment right of access to the documents and docket entries in this case;


ACCORDINGLY, IT IS HEREBY ORDERED that
the transcript and all documents associated with the defendant's answer of indictment and guilty plea on September 2, 2014
(1) ~~this case~~ be sealed, except that such materials are available to the parties without further application to the Court;

(2) Any docket entries relating to the defendant's guilty plea, bail, cooperation or cooperation agreement be delayed until further Order of the Court;

(3) The Government's application and this Order shall be sealed and remain undocketed; and

(6) The Government shall notify the Court by letter within 90 days of the date of this Order to report on the status of its investigation, any physical danger to the defendant, or whether circumstances have become such that it is no longer necessary to keep the above-referenced materials and events sealed or undocketed, as the case may be.

Dated: New York, New York
September 2, 2014



THE HONORABLE JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE